

## **Exhibit 'A'**

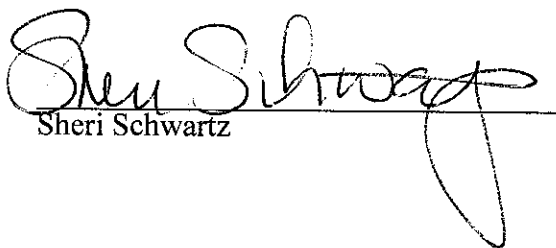
**DECLARATION OF SHERI SCHWARTZ**

I, Sheri Schwartz, declare as follows:

1. I am attorney at law licensed to practice in all courts in Nevada, and counsel of record for Defendants. I have personal knowledge of the foregoing and could and would competently testify thereto if called upon to do so.

2. Attached hereto as Exhibit A are letters produced in this action, Bates Nos. BMW0023, representing correspondence from BMW NA to Plaintiff Trout.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Dated this 23<sup>rd</sup> day of June, 2006.

  
Sheri Schwartz

**BMW**

January 30, 2004

Law Office of Grenville Pridham  
1611 E. Charleston Blvd.  
Suite 3  
Las Vegas, NV 89104

Re: Christopher Trout  
2003 BMW M3  
VIN #: JR22045

Dear Mr. Pridham:

I received your letter regarding your client's 2003 BMW M3 and am truly sorry to hear of his dissatisfaction. On behalf of BMW, please convey my apology.

A team of corporate, market and center personnel is currently investigating the car's service history. We intend to make every effort to satisfy a valued owner. We will soon be in contact with you to address this concern.

We recognize and appreciate your patience in the interim.

Thank you.

Sincerely,

**Company**  
BMW of North America, LLC

BMW Group Company

**Mailing address**  
PO Box 1227  
Westwood, NJ  
07675-1227

**Office address**  
300 Chestnut Ridge Road  
Woodcliff Lake, NJ  
07677-7731

**Telephone**  
(201) 573-2189

**Fax**  
(201) 505-9085

**E-mail**  
Gene.Stewart@bmwna.com

**Website**  
bmwusa.com

Eugene Stewart  
National Customer Relations  
Representative  
(201) 573-2189

ES/e

**BMW**

February 25, 2004

**VIA FAX: (702) 614-3383**  
Law Office of Grenville Pridham  
1611 E. Charleston Blvd.  
Suite 3  
Las Vegas, NV 89104

Re: Christopher Trout  
2003 BMW M3  
VIN #: JR22045

Dear Mr. Pridham:

BMW of North America, LLC has agreed to repurchase Mr. Trout's 2003 BMW M3. I am currently in the process of calculating the specific settlement figures and hope to have a settlement agreement within the next 5 business days.

We recognize and appreciate your patience in the interim.

Thank you.

Sincerely,

Eugene Stewart  
National Customer Relations  
Representative  
(201) 573-2189

ES/e

**Company**  
BMW of North America, LLC

BMW Group Company

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**Fax**  
(201) 505-9085

**E-mail**  
Gene.Stewart@bmwna.com

**Website**  
bmwusa.com

**BMW**

March 3, 2004

Law Office of Grenville Pridham  
1611 E. Charleston Blvd.  
Suite 3  
Las Vegas, NV 89104

Re: Christopher Trout  
2003 BMW M3  
VIN #: JR22045

Dear Mr. Pridham:

I have enclosed the settlement agreement for the repurchase of Christopher Trout's 2003 BMW M3 with the following reimbursement calculations:

- \$15,505.68 = Reimbursement to your client
- \$53,869.81 = payoff to BMW Financial Services

Upon receiving the signed settlement agreement with your client's signature I will forward to BMW Regional Management and Desert BMW in Henderson who will administer repayment check for your client.

I will instruct them to make the check out in both your name and your client's.

Thank you.

Sincerely,

**Company**  
BMW of North America, LLC

BMW Group Company

**Mailing address**  
PO Box 1227  
Westwood, NJ  
07675-1227

**Office address**  
300 Chestnut Ridge Road  
Woodcliff Lake, NJ  
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**E-mail**  
Gene.Stewart@bmwna.com

**Website**  
bmwusa.com

Eugene Stewart  
National Customer Relations  
Representative  
(201) 573-2189

ES/e

**BMW**

March 4, 2004

Law Office of Grenville Pridham  
1611 E. Charleston Blvd.  
Suite 3  
Las Vegas, NV 89104

Re: Christopher Trout  
2003 BMW M3  
VIN #: JR22045

Dear Mr. Pridham:

I have enclosed the revised settlement agreement for the repurchase of Christopher Trout's 2003 BMW M3 with the following reimbursement calculations:

- \$15,505.68 = Reimbursement to your client
- \$53,869.81 = payoff to BMW Financial Services

Upon receiving the signed settlement agreement with your client's signature I will forward to BMW Regional Management and Desert BMW in Henderson who will administer repayment check for your client.

I will instruct them to make the check out in both your name and your client's.

Thank you.

Sincerely,

**Company**  
BMW of North America, LLC

BMW Group Company

**Mailing address**  
PO Box 1227  
Westwood, NJ  
07675-1227

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300 Chestnut Ridge Road  
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Gene.Stewart@bmwna.com

**Website**  
bmwusa.com

Eugene Stewart  
National Customer Relations  
Representative  
(201) 573-2189

ES/e

**BMW**

April 6, 2004

Law Office of Grenville Pridham  
1611 E. Charleston Blvd.  
Suite 3  
Las Vegas, NV 89104

Re: Christopher Trout  
2003 BMW M3  
VIN #: JR22045

Dear Mr. Pridham:

The following offer will remain in effect until Friday April 9, 2004.

I have enclosed the revised settlement agreement for the repurchase of Christopher Trout's 2003 BMW M3 with the following reimbursement calculations:

- **\$13,605.74 = Reimbursement to your client**
  - 1. Down Payment = \$4,005.98
  - 2. 8 Monthly payments @ \$949.97 = \$7,599.76
  - 3. Attorney Fees = \$2,000.00
- **\$53,869.81 = payoff to BMW Financial Services**

The settlement offer has been revised to show only 8 payments have been made on the account. Upon receiving the signed settlement agreement with your client's signature I will forward to BMW Regional Management and Desert BMW in Henderson who will administer repayment check for your client.

I will instruct them to make the check out in both your name and your client's.

Thank you.

Sincerely,

Eugene Stewart  
National Customer Relations  
Representative  
(201) 573-2189

ES/e

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